

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2016 APR 26 PM 2:29

CLERK *D. Larkins*
S. DIST. OF GA.

RUSSELL GAITHER,)
Plaintiff,)
v.) CV 316-010
MS. ARCHER; WARDEN BUTTS;)
MRS. CASON; MRS. DeANN MORRIS;)
OFFICER (Sgt.) FARMER;)
MRS. MITZI HALL; LT. O'NEAL; and)
NURSE PULLIN,)
Defendants.)

O R D E R

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed, (doc. no. 17). Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion. Therefore, the Court **DENIES** Plaintiff's request to proceed *in forma pauperis*, (doc. no. 2), and **DENIES AS MOOT** the motion for appointment of counsel, motion to file an amended complaint, and motion for the return of legal mail. (Doc. nos. 4, 5, 8.) The Court likewise **DENIES AS MOOT** the motion for appointment of counsel filed with Plaintiff's objections. (Doc. no. 16.) Finally, the Court **DISMISSES** this case without prejudice, and **CLOSES** this civil action. If Plaintiff wishes to proceed with the claims

raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

SO ORDERED this 26th day of April, 2016, at Augusta, Georgia.



UNITED STATES DISTRICT JUDGE